



10-14-04

EFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Randy SCOTT, et al.

Application Serial No. 10/783,884

Filed: February 19, 2004

For: USE OF INTRONIC RNA TO MEASURE
GENE EXPRESSION

) Examiner: Unassigned
)
) Art Unit: 1638
)
) Attorney's Docket No. 39740-0007A
)
) Customer No. 25213
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Date Mailed: October 12, 2004

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Sir:

Listed below or on an attached Form PTO-1449 is information known to applicant(s). A copy of each listed publication and U.S. and foreign patent, except for pending U.S. applications, is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If form PTO-1449 is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

☒ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):

- ☐ (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)
-- OR --
- ☐ (2) It is being filed within 3 months of entry of a national stage
-- OR --
- ☒ (3) It is being filed before the mail date of the first Office Action on the merits
-- OR --
- ☐ (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.

☐ 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:

☐ a certification as specified in §1.97(e) is provided below; **or**

☐ a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

☐ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:

A. a certification as specified in §1.97(e) is completed below; and

B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; **and**

C. a fee of \$180.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

☐ *Fee Authorization.* The Commissioner is hereby authorized to charge the above-referenced fees of **\$0.00** and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. **08-1641 (Attorney's Docket No. 39740-0007A).**

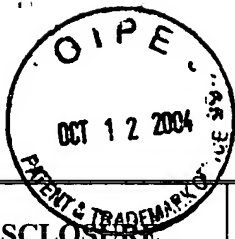
Respectfully submitted,

Dated: October 12, 2004

By:


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INFORMATION DISCLOSURE STATEMENT PTO-1449		ATTY. DOCKET NO.: 39740-0007A		SERIAL NO.: 10/783,884			
		APPLICANT : Randy SCOTT, et al.					
		FILING DATE: February 19, 2004		GROUP: 1638			
U.S. PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE	
FOREIGN PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
						<input type="checkbox"/>	<input type="checkbox"/>
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
	Burns, C.G. et al., "Removal of a Single α -Tubulin Gene Intron Suppresses Cell Cycle Arrest Phenotypes of Splicing Factor Mutations in <i>Saccharomyces cerevisiae</i> ", Molecular and Cell Biology, Vol. 22, No. 3, pp. 801-815, February 2002.						
	Clark, Tyson A. et al., "Genomewide Analysis of mRNA Processing in Yeast Using Splicing-Specific Microarrays", Science, Vol. 296, No. 5569, pp. 907-910, May 3, 2002.						
	Kapranov, Philipp, et al., "Large-Scale Transcriptional Activity in Chromosomes 21 and 22", Science, Vol. 296, No. 5569, pp. 916-919, May 3, 2002						
	Schneider J., et al., "Expression of LRP and MDR1 in Locally Advanced Breast Cancer Predicts Axillary Node Invasion at the Time of Rescue Mastectomy after Induction Chemotherapy", Breast Cancer Research, Vol. 3, No. 3, pp. 183-191, 2001						
	Thomázy, Vilmos A., et al, "Determination of Cyclin D1 and CD20 mRNA Levels by Real-Time Quantitative RT-PCR from Archival Tissue Sections of Mantle Cell Lymphoma and Other Non-Hodgkin's Lymphomas", The Journal of Molecular Diagnostics, Vol. 4, No. 4, pp. 201-208, November 2002.						
EXAMINER		DATE CONSIDERED					

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.